

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

HEADSTART NURSERY, INC.,  
Plaintiff,  
v.  
AL HARRISON COMPANY  
DISTRIBUTORS, et al.,  
Defendants.

Case No. [13-cv-05695-BLF](#)

**ORDER STRIKING PROPOSED  
“JUDGMENT BY DEFAULT”**


[Re: ECF 45, 46]

On June 2, 2014, this Court entered its Order Adopting Report and Recommendation; Entering Default Judgment Against Defendants. ECF 43. Before the Court is a “Notice of Entry of Judgment Against Defendants,” ECF 45, as well as a proposed “Judgment by Default,” ECF 46. Plaintiff appears to be requesting that the Court sign the latter, though no reason is offered for the request.

The Court was notified on July 21, 2014 that defendant Agra Pro, LLC had filed a petition for bankruptcy. ECF 44. The Court therefore declines to take any further action in this case at this time.<sup>1</sup> Plaintiff’s proposed order is STRICKEN. To the extent Plaintiff seeks a separate entry of judgment signed by this Court, it may re-file a request with a brief explanation of the reason for doing so and of the impact of Agra Pro’s bankruptcy petition on this Court’s authority to do so.

**IT IS SO ORDERED.**

Dated: November 26, 2014

  
BETH LABSON FREEMAN  
United States District Judge

<sup>1</sup> The Court takes no position on whether this action is subject to the automatic stay pursuant to 11 U.S.C. § 362.